

United States District Court
Eastern District of Michigan

United States of America

v.

Demetrius Meffer /

Defendant

ORDER OF DETENTION PENDING TRIAL

Case Number: 05-80562

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I – Findings of Fact

(1) I find that:

T there is probable cause to believe that the defendant has committed an offense**T** for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or _____;**“** under 18 U.S.C. § 924(c).

(2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings

T I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear.

T I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.

Part II – Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

T (a) nature of the offense - multiple counts relating to manufacture of methamphetamines.**T** (b) weight of the evidence - the evidence is substantial, and includes cooperating witness testimony.**T** (c) history and characteristics of the defendant -**T** 1) physical and mental condition - admitted methamphetamine abuse.**T** 2) employment, financial, family ties - defendant does have employment and family ties.**T** 3) criminal history and record of appearance - felony convictions for solicitation of murder and drug manufacturing. Misdemeanor convictions for assault & battery and weapons possession.

Defendant is currently under prosecution for two domestic violence offenses.

“ (d) probation, parole or bond at time of the alleged offense

T (e) danger to another person or community. - Based on this defendant's criminal history, I have serious concern for the safety of government witnesses in this case. This defendant is facing serious charges, and the prospect of conviction is great. He has a history of violent behavior and no substantial assets which would tie him to this community. He has not rebutted the statutory presumption in favor of detention.

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

June 29, 2005

Date

s/Donald A. Scheer

Signature of Judge

Donald A. Scheer, United States Magistrate Judge

Name and Title of Judge